



**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C80
Serial No.: 09/909,320 Group Art Unit: 1647
Filing Date: July 18, 2001 Examiner: Hamud, F.
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND
NUCLEIC ACIDS ENCODING THE SAME**

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 17, 2003 of the Primary Examiner finally rejecting Claims 39-46, 49-52, and 54-58. The item(s) marked below are appropriate:

☒ An extension of time to respond to the final rejection for additional one month(s) has been requested and filed with the response to the office action.

Filing Fee:

☐ \$165 (small entity)
☒ \$330 (large entity)

Time Extension Fee (if applicable):

☐ one month (\$110 large entity)
☒ two months (\$420 large entity) (minus \$110 for the one month EOT requested with the response to Office Action)
☐ three months (\$950 large entity)

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on November 17, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EV346725106US** addressed to: Mail Stop: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 17, 2003

Cheryl Ann Rogers
Cheryl Ann Rogers

11/24/2003 AWONDAF1 00000023 081641 09909320

01 FC:1401 330.00 DA
02 FC:1252 310.00 DA

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ Return prepaid postcard.
- ☒ The Commissioner is authorized to charge the required fees, additional fees, or credit any overpayment to Deposit Account 08-1641 (Attorney Docket No. 39780-1618P2C80).

Date: November 17, 2003

Daphne Reddy
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Registration No. 53,507

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11-19-03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL

- ☒ Transmitted herewith are the following documents:
- (1) Transmittal;
 - (2) Notice of Appeal;
 - (3) Authorization to charge Deposit Account No. 08-1641 in the amount of \$640 for Notice of Appeal filing fee and for two-month Extension of Time.
- ☒ The Commissioner is authorized to charge any required fees, or credit any overpayment to Deposit Account No. 08-1641.

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Date: November 17, 2003


Cheryl Ann Rogers



Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Respectfully submitted,

Date: November 17, 2003

Daphne Reddy
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Reg. No. 53,507

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